

**UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ALABAMA  
NORTHEASTERN DIVISION**

**EDWIN BANKS,**

**Petitioner,**

**v.**

**SECRETARY, DEPARTMENT OF  
HEALTH AND HUMAN SERVICES,**

**Respondent.**

**CIVIL ACTION NO.  
5:20-cv-00565-LCB**

**UNOPPOSED**

**MOTION FOR CONTINUANCE OF TELEPHONE CONFERENCE**

Respondent moves for a continuance of one week, until September 14, 2021, of the telephone conference set by the Court in its order of September 2, 2021 (Doc. 60) and presently scheduled for 2:30 p.m. on September 7, 2021. As grounds for this motion, Respondent states as follows:

1. Assistant United States Attorney Don B. Long, lead counsel on this case, has become unavailable due to a medical issue which transpired on the morning of the date of this filing.

2. Assistant United States Attorney John D. Saxon, Jr., co-counsel, just entered an appearance in this case two business days ago and has not had the opportunity to become fully apprised of all relevant issues in the case.

3. In order for counsel to be adequately prepared to address the Court regarding this matter, Respondent requests a continuance of one week of the telephone conference set for September 7.

4. No party will be prejudiced by the granting of this motion. Counsel for Respondent has conferred with Petitioner's counsel in this case, and this motion is unopposed.

**WHEREFORE, PREMISES CONSIDERED,** Respondent respectfully requests that the Court issue an order granting a continuance of one week, until September 14, 2021, of the telephone conference presently set for September 7, 2021.

Date: September 6, 2021

Respectfully submitted,

PRIM F. ESCALONA  
UNITED STATES ATTORNEY

*s/ John D. Saxon, Jr.*

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